

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ANKUR AGARWAL,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

Civil Action No. 23-2479 (SDW)

ORDER

This matter comes before the Court upon Petitioner’s “Motion to Supplement § 2255” received by the Court on January 23, 2024. (ECF. No. 14). This motion is moot because this Court granted Petitioner leave to file an amended or supplemental § 2255 motion by order dated January 3, 2024.¹ (ECF No. 13). Petitioner has now submitted his supplemental § 2255 motion, which incorporates the claims raised in his amended § 2255 motion (ECF No. 4) and adds two additional claims. (ECF No. 14 at 3-6). Therefore, this Court will direct Respondent to file a supplemental answer to Petitioner’s supplemental § 2255 motion.

IT IS on this 30th day of January 2024,

ORDERED that Petitioner’s “Motion to Supplement § 2255” is denied as moot; and it is further

ORDERED that, within 30 days of the date of entry of this Order, Respondent shall file a supplemental answer to Petitioner’s supplemental § 2255 motion (ECF No. 14 at 4-19); and it is further

¹ This Court did not make any findings on the timeliness of Petitioner’s supplemental claims, and noted Respondent could assert any affirmative defenses to the supplemental claims. (ECF No. 13).

ORDERED that, within 30 days of the service and filing of Respondent's supplemental answer, Petitioner may file a reply brief; and it is further

ORDERED that the Clerk shall serve a copy of this Order on Petitioner by regular mail, and on Respondent electronically.

A handwritten signature in black ink, appearing to read "S. Wigenton", is written above a horizontal line.

Hon. Susan D. Wigenton
United States District Judge